

Billie L.M. Addleman, #6-3690  
 John P. Fritz, #7-6318  
 HIRST APPLGATE, LLP  
 P. O. Box 1083  
 Cheyenne, WY 82003-1083  
 Phone: (307) 632-0541  
 Fax: (307) 632-4999  
 baddleman@hirstaplegate.com  
 jfritz@hirstaplegate.com

**IN THE UNITED STATES DISTRICT COURT  
 FOR THE DISTRICT OF WYOMING**

CUSTODIA BANK, INC.,

Plaintiff,

v.

BOARD OF GOVERNORS OF  
 THE FEDERAL RESERVE SYSTEM &  
 FEDERAL RESERVE BANK  
 OF KANSAS CITY,

Defendants.

Case No. 1:22-cv-00125-SWS-KHR

**JOINT MOTION BY ALL PARTIES TO STAY DISCOVERY AND  
 FILING OF ADMINISTRATIVE RECORD AND TO EXTEND DEADLINE TO  
 RESPOND TO MOTION TO DISMISS AND/OR MOVE TO AMEND COMPLAINT**

Defendants Board of Governors of the Federal Reserve System (“Board”) and Federal Reserve Bank of Kansas City (“FRBKC”), and Plaintiff Custodia Bank, Inc. (“Custodia”), respectfully request that the Court stay all discovery, including the Board’s current February 9 deadline to submit an administrative record in this action, pending further order of the Court. The parties further request that the Court extend the deadline for Custodia to respond to Defendants’ pending Joint 12(h)(3) Motion to Dismiss the Complaint as Moot (ECF No. 116)

(and/or move to amend its complaint) from this Friday, February 10, until Friday, February 17, or until such other date as the parties agree and the Court so orders.

In support of their Joint Motion, the parties note that Defendants' motion to dismiss, which challenges all remaining claims in the case for mootness/lack of jurisdiction, is currently pending. (On all of the claims that currently remain in this case, Plaintiff's requested relief is a decision on whether to accept or deny its request for a master account. The master account has now been denied by FRBKC.) The parties further note that Plaintiff may file a motion to amend its complaint in response to the pending motion to dismiss. Defendants do not object to Plaintiff's filing of an amended complaint, while reserving the right to potentially move to dismiss.

Accordingly, given these developments, the parties respectfully ask the Court to stay discovery in order to "preserve the resources of the parties and promote judicial economy," *Deschine v. United States*, No. 14-cv-18, 2014 WL 11512631, at \*1 (D.N.M. Oct. 10, 2014), and to extend by one week the current deadline to respond to the pending motion to dismiss in accordance with Local Civil Rule 6.1(d). No prior extension of these deadlines has been requested.

Dated: February 7, 2023

Respectfully submitted,

/s/ Billie LM Addleman  
Billie LM Addleman, #6-3690  
John P. Fritz, #7-6318  
HIRST APPLGATE, LLP  
Attorneys for Defendant FRBKC  
P. O. Box 1083  
Cheyenne, WY 82003-1083  
Phone: (307) 632-0541  
Fax: (307) 632-4999  
baddleman@hirstapplegate.com  
jfritz@hirstapplegate.com

Andrew Michaelson (*pro hac vice*)  
Laura Harris (*pro hac vice*)  
KING & SPALDING LLP  
1185 Avenue of the Americas  
34th Floor  
New York, NY 10036  
Phone: (212) 556-2100  
amichaelson@kslaw.com  
lharris@kslaw.com

Jeffrey S. Bucholtz (*pro hac vice*)  
Joshua N. Mitchell (*pro hac vice*)  
Christine M. Carletta (*pro hac vice*)  
KING & SPALDING LLP  
1700 Pennsylvania Ave NW  
Washington, DC 20006  
Phone: (202) 737-0500  
jbucholtz@kslaw.com  
jmittchell@kslaw.com  
ccarletta@kslaw.com

*Counsel for Defendant the  
Federal Reserve Bank of Kansas City*

/s/ Joshua P. Chadwick  
Joshua P. Chadwick, Senior Special Counsel  
Yvonne F. Mizusawa, Senior Counsel  
Yonatan Gelblum, Senior Counsel  
Katherine Pomeroy, Senior Counsel  
BOARD OF GOVERNORS OF THE FEDERAL  
RESERVE SYSTEM  
20th Street and Constitution Avenue, N.W.  
Washington, D.C. 20551  
Phone: (202) 263-4835  
joshua.p.chadwick@frb.gov

*Counsel for Defendant Federal Reserve Board of  
Governors*

/s/ Ryan Thomas Scarborough  
John K. Villa  
Ryan Thomas Scarborough  
Whitney D Hermandorfer  
Jamie Wolfe  
WILLIAMS & CONNOLLY  
680 Maine Avenue SW  
Washington, DC 20024

*Attorneys for Plaintiff*